

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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D. JOSEPH KURTZ, Individually and on	:	Civil Action No. 1:14-cv-01142-PKC-RML
Behalf of All Others Similarly Situated,	:	
	:	<u>CLASS ACTION</u>
Plaintiff,	:	
	:	
vs.	:	
	:	
KIMBERLY-CLARK CORPORATION, et al.,	:	
	:	
Defendants.	:	
_____	X	

**PLAINTIFF'S MOTION FOR (1) FINAL APPROVAL OF CLASS ACTION  
SETTLEMENT; (2) CLASS COUNSEL'S APPLICATION FOR AN AWARD OF  
ATTORNEYS' FEES AND EXPENSES; AND (3) CLASS REPRESENTATIVE  
PAYMENT**

PLEASE TAKE NOTICE that plaintiff Dr. D. Joseph Kurtz (“Dr. Kurtz” or “Plaintiff”), on his own behalf and on behalf of all other Settlement Class Members, through Class Counsel Robbins Geller Rudman & Dowd LLP (“Robbins Geller”), will move this Court on August 30, 2024 at 10:00 a.m., before The Honorable Pamela K. Chen, pursuant to Rule 23 of the Federal Rules of Civil Procedure, for entry of a Final Order and Judgment<sup>1</sup> approving the proposed Settlement as fair, reasonable, and adequate and finally certifying the Settlement Class. Class Counsel will also move this Court for an order awarding the requested attorneys’ fees and expenses, and class representative payment.

PLEASE TAKE FURTHER NOTICE that in support of this motion, Plaintiff submits and is filing herewith: (i) Plaintiff’s Memorandum of Law in Support of: (1) Plaintiff’s Motion for Final Approval of Class Action Settlement; (2) Class Counsel’s Application for an Award of Attorneys’ Fees and Expenses; and (3) Class Representative Payment; (ii) the Declaration of Vincent M. Serra in Support of Plaintiff’s Motion for Final Approval of Class Action Settlement, Class Counsel’s Application for an Award of Attorneys’ Fees and Expenses, and Class Representative Payment and exhibits thereto; and (iii) the Declaration of Vincent M. Serra Filed on Behalf of Robbins Geller in Support of Application for Award of Attorneys’ Fees and Expenses and exhibits thereto.

DATED: July 26, 2024

ROBBINS GELLER RUDMAN  
& DOWD LLP  
SAMUEL H. RUDMAN  
VINCENT M. SERRA  
FRANCIS P. KARAM  
JOSHUA D. FORGY

*/s/ Vincent M. Serra*  
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VINCENT M. SERRA

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<sup>1</sup> Plaintiff inadvertently did not submit the [Proposed] Final Approval Order and Judgment as Exhibit D to the Settlement Agreement. The [Proposed] Final Approval Order and Judgment is attached hereto.

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